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October 20, 2022

The Honorable John M. Vazquez  
United States District Judge  
Martin Luther King Building &  
U.S. Courthouse  
50 Walnut St.  
Newark, N.J. 07101

**Re: *United States ex rel. Simpson v. Bayer Corp., et al.*,  
Civil Action No. 05-3895 (JMV) (LW) (D.N.J.)**

Dear Judge Vazquez:

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), please find the Joint Stipulation of Dismissal With Prejudice filed on behalf of Relator Laurie Simpson and the Bayer Defendants. This dismissal is with prejudice to Relator, the United States and the named States; it excludes Relator's claim for attorneys' fees, expenses and costs pursuant to 31 U.S.C. §§ 3730(d) and 3730(h)(2) and analogous provisions of applicable state law.

It is anticipated that upon the filing of this Joint Stipulation, the United States will file its Consent to Dismissal on behalf of the United States and the named States.

As per the final paragraph of the attached Joint Stipulation, Relator and Bayer have agreed on an initial schedule for the filing of fee petitions, which, subject to Your Honor's approval, is set for thirty days following the entry of judgment in the later of the present case and the related case pending in the District of Minnesota (*United States ex rel. Simpson v. Bayer*, No. 08-cv-5758 (D.Minn.)), which is also being resolved by this settlement. This joint proposal is intended to allow coordination of the timing of fee petition filings between these related cases, including for any prior counsel who intends on seeking fees.

Thank you for your consideration of this matter.

Respectfully submitted,

KESSLER TOPAZ  
MELTZER & CHECK, LLP

A handwritten signature in blue ink, appearing to read "D. Bocian", written over a horizontal line.

David Bocian

Copied to all parties via ECF